G. R. S. 58]

Previous references.

File No. 2 of 1862

191 .

(~~Land Rev~~ Sep: Rev:)

Serial Nos. 1–18.

Later references.

58

GENERAL AND REVENUE SECRETARIAT.

Serial Nos.

Part B for September 1870

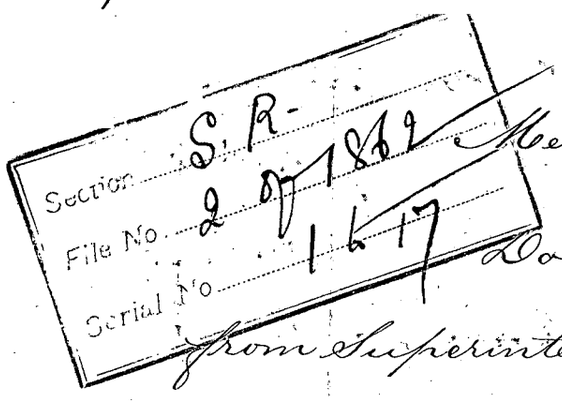
SUBJECT.

Right of landowners to appoint men of their own choice to draw toddy from Bagamy trees in their lands

Indexed

W D 1351—GPB—20,000—13-12-15

No 107



Memorandum

Docket No 514/14 of the 9th May last from Superintendent of Sagar submitting further information on the subject of the Toddy drawers in the Mulnaad Taluk.

"It would appear from the previous correspondence on this subject that the toddy drawers known as Nouselays in the villages of Sogaravelly and Nosagueddy in the Sagara Taluk complained to the Amildar in 1868 stating that they were since a very long time in the enjoyment of the monopoly of drawing toddy from all Bugni trees situated on Durg lands paying the usual licence fee to Government for the right of selling the liquor, as well as the fee to the toddy contractor and giving a portion of the toddy extracted to the Durgdar which is a practice always in force; that one of the Durgdars named Timmah, deprived them /Petitioners/ of their right by calling in toddy drawers of another

another class called Mullaypykes from another village to extract toddy. thus depriving Petitioners of their means of livelihood. They therefore prayed that their right to be the exclusive drawers of the toddy may be confirmed and at the same time the Petitioners tendered the evidence of some of the villagers who unanimously declared in favor of the Petitioners and in support of their right.

3. Timmah the vergolar referred to, on being questioned stated that ever since he obtained the Varg he was in the habit of leasing out the Bugni trees to whoever he chose; that he was not disposed to give the complainants the right; that he paid the fee due to the toddy contractor out of his own pocket for 2 or 3 years past and appointed men of his choice to draw the toddy for him.

4. Three witnesses cited by Timmah maintained that for 2 or 3 years past the Bugni trees were given to others by whom the toddy was extracted.

The Amildar reported in his

his Juryee of 12th October 1860 to the Assistan
Superintendent of the Sagara Sub-divisn
by whom the case was referred to the Amu
=dar, that in a similar complaint receivd
by him in 1866 he decided that the Durg
=dar was at perfect liberty to have toddy
extracted from trees growing on his durg
by any person or persons he may choose t
select for the purpose, that the complain
in the case under notice, have declared tha
they did not draw toddy in the village
in question at any time before the past 3 yea

Some further correspondence
ensued between these two Officers and it
was finally decided by the Assistant
Superintendent on the 15 January 1869,
that the Petitioners appear to be the
Houselays of the village in question,
that besides Timmah, none of the oth
Durgdars have objected to their being
the recognized toddy drawers, that
Timmah's assertion that others have
been drawing toddy for the past 10 years
has not been substantiated that con=
sequently

sequently the Petitioners in this case should be declared to be legitimately entitled to the right set forth by them and Timmah should receive the same advantages that he derived from employing Mullayshykes of other villages.

7. Timmah appealed to the Deputy Superintendent against the above decision on 3rd February 1869 alleging that Houselays are inferior in caste; that consequently toddy extracted by them cannot be used by him, and he therefore prayed that as the trees are his property he may be allowed to have toddy extracted by any one he pleases.

8. On the 12th May of the same year, the Deputy Superintendent decided that a proprietor is at liberty to act as he pleases with regard to his property that it would be inexpedient to enforce anything against his wish in that respe He therefore reversed the Assistant Superintendents decision.

9. The Houselays then appealed

appealed to the Superintendent stating
that the order of the Deputy Superinten
=dent will have the effect of depriving
them entirely of their livelihood and
will compel them to desert from the villag

e case was then remanded
to the Deputy Superttt for report on the
alleged usage of giving Nullayphykes &
Mouselays the exclusive right of drawing
toddy represented to be immemorial and
the Deputy Superintendent of Kadoo
also appears to have been requested to
state whether the practice referred to
prevails in all the Mulnaad Talooks.

11. In reply the Deputy Su
=perintendent of Kadoor District stated
in his letter No 874 of 22nd December 1864
that the Amildars of Koppa & Lak
=Kavelli report that Durgdars cannot
dispossess their Sheristadars of the
right of drawing toddy except for infrin
=ment of any of the conditions on which
the trees are let out to them while the

Amildars

Amildar of Chikkamagalur & Kadur state that in their Talooks, Shekhmidars possess no such rights at all.

12. The Deputy Superintt of Shimoga forwards an abstract of the replies received from the Amildars of his District on the subject. It would appear from the above that there is a diversity of practice in the Mulnaad Talook with the exception that the Malayaliyakes & Houselays are the only toddy drawers; that in the Sagara Talook (which is the Talook in which the present dispute has arisen) where the Houselays are the sub-tenants of the mungdars they render them some service by cutting the areca nut and tying up bunches of the same and in return are permitted to draw Sandy which they use or sell and pay a fee called "Kondee Karca" to the Toddy contractor, but they have nothing to do with Bugni trees or other

other wurgs. Wurgdars who have no Houses for their sub-tenants, employ it would seem Nullayphykes for extracting toddy. It would also appear that in this Taluk there is a separate class of men called Kottay Wokaliga whose duty is entirely to cut Arecanuts &ca but who do not in return receive the toddy.

The Superintendent submitted the above abstract with his No. 5706/229 of 31st January 1870, and solicited instructions on the general question of whether a Wurgdar has the absolute power of disposing of the right to draw the toddy of the Bugni trees on a Wurg as one affecting a whole class of persons. He also stated that it was ruled in Secretary's No. 4939/109 of 28th November 1867 and enclosures that a Wurgdar as proprietor of the land was also proprietor of the Bugni trees; that the point in dispute was whether the Nullayphykes or Houselays can by lapse of time acquire a subsidiary right which would entitle them to continue to draw toddy

on the usual terms even if the wurgdars wished to make a better bargain with some other persons observing that since an occupancy of 12 years as a sub-tenant of cultivable land has been held to confer a good title, it appeared doubtful to him whether a lengthened tenure by a Nullayshyke of an interest in a wood land attached to a wurg should be governed by the same principle, or considered as a tenancy at will.

14. In reply the Superintendent is requested to state whether the toddy drawers reside in the jungle or on the wurgs observing that in Coorg such drawers reside in the jungle and acquire an occupancy right.

15. In reply the Superintendent forwards with his Docket under reference, replies received from the Deputy Superts from which it will be seen that as a rule the toddy drawers do not reside in the jungle but only proceed there to draw the toddy as occasion requires.—

The circumstance that these Hanslays do not permanently reside in the Jungle would perhaps be considered a sufficient reason

to ignore the prescriptive right now advanced by them. Irrespective of this, I do not see any reason to justify an interference with the Wanydars arrangements concerning any property over which he has absolute control even though such non interference should affect a whole class of people which is a contingency that is only probable for, from the proceedings of the case it would appear that upto the present time only a few of the Toddy drawers have been the sufferers by the act of one of the Wanydars.-

It will be observed that the Bergun Trees were declared by Dr Bowring to be the absolute property of the Wanydars when growing on their lands. Therefore under all the above circumstances I consider that the Wanydar is at perfect liberty to appoint any person or persons who he may choose to employ to draw the Toddy.-

× Revenue Secretary's letter No 4439/104 dated 24/8/67

29th August 1870.- A R Cahuntzi

30. 8. 70. -
Copy sent. No objection to be offered.

Learned Counsel, in my view the case was quite different. The Toddy drawers had lands & had resided for years in the Forest & assigning the Forest Officers had passed Orders of Court - were demarcated for them, & the Planters had to arrange with them about vacating -

30. 8. 70

1863 No. 667

From The Supt. Arcot

To

The Secy. to the Commr

Bangalore

Dated 23rd January

Disd 24th January

Recd 27th Do

Cinglepet

No. 795 Rec. 29 Jan 63

Respects to lay the following statement of the subject of the Begaur Jaga in the Mudaad Talook before the Commr for his consideration & orders, and wishes to bring the Commr's concurrence regarding the expediency of the arrangem hereby proposed.—

Orders

As regards the Cundayem, there is little difficulty, as the amount may be remitted, it being trifling.

The plan proposed by the Supt may be worth a trial, but if introduced it should be by issuing a general notice to all Planters without distinction that they must please their plantations

If the plan seems impracticable Planters wishing to keep the Poddy drawn out should inspect them, as the Pottah makes no provision for any other class than farmers, and it could not have been the intention of the Govt to rescind a privilege of the rights of long standing.

D 28/1/63

Section S. R.

Serial 2 - 62

No 795

Ashtagram Supdts Office

To

The Secretary to the Commissioner
for the Govt of the Territories
of His Highness the Maha
Rajah of Mysore
Bangalore

Dated Camp Hajsan 23rd January 186

Sir,

I have the honor to request
you to be so good as to lay the following
statement on the subject of the
Beganay Tax in the Mulnaad Ta
books before the Commissioner, for
his consideration and orders.

2. In the belts of Jungle which surr
round and lie in the neighbourhood
of the Mulnaad villages, large
numbers of Toddy trees are grown
the liquor obtained from these trees
is largely consumed by the inhabitants
and a tax amounting in the aggregate
to Rupees 2196-12-1 is paid by the
different villages for permission to
draw toddy from the trees in the
vicinity. The Potails being allowed
a certain quantity gratis, and a
particular class of people called
Sheevers being employed to climb
the trees &c.

3. Since the formation of Coffee

Plantations many of the Jungles in which these trees are numerous, have been taken up for Coffee cultivation, and the European Planters object greatly to the ingress and egress of the Toddy drawers and some go so far as to say that they consider themselves exempt, under the provisions of the Clause in their Pattahs, which provides that they shall not be interfered with in any way by Ezardars and people of that class.

4. On the complaint of one Mr. Little, Captain Hay, when Superintendent directed that in that gentleman's case, the "condajem" on the trees, should be remitted, and his plantation be exempted from the visits of the Potail who rented the trees. and the principle thus laid down by Captain Hay has been acted upon in the case of Messrs Elliot and King also.

5. The question has now arisen whether this exemption is to be made general in the case of all European Planters, and also whether it is to be extended to Native Planters also. It is one which is surrounded with some difficulties, as I shall now endeavour to shew— 1st The Jungles in which these trees exist, have

been

been extensively taken up for Coffee cultivation and to remit the "Cundaye and exclude the Ryots from their use, would be to cut off from them an extensive source of subsily. 3d The Ryots of the Mulnaad are habitual Toddy drinkers, to deprive them therefore of their usual beverage would be to annoy them excessively and create very unfriendly feelings towards the Planters. 3rd The amount of "Cundayem" realized by Government is upwards of 2000 Rupees, a sum invariably realized, without any difficulty.

until they clear the land and make a garden of the Plantation the interference of the Toddy drawer can signify but little.

7. By this arrangement the Ryots would not suddenly be deprived of Toddy the decrease in the [illegible] would be gradual, and time would be given to meet the wants of the people from other quarters and the European Planters would be exempt from the ingress and egress of the Toddy drawers, which is such an annoyance to them.

8. I would wish to have the Commissioner's concurrence if he agrees

which present themselves most
prominently in this matter, and tho
somewhat opposed to abstract justice
I am disposed to think that the only
practical solution of the difficulty,
is to remit the tax on all the Estates
of Europeans who clear and fence
their property, and retain it in the
case of all Native Plantations unless
they clear and fence their Estates
in the same manner as Europeans
The only good reason for an order
such as this, is, that the Plantations
of Natives are, even when in bearing
little better than Jungles, and that

to the arrangement here proposed.

I have the honour to be

Sir,

Your most obed.t Se.t

Camp Kaffrau
3rd January 1863

Superintendent
A.S.A.

been extensively taken up for Coffee cultivation and to remit the "Cundayem" and exclude the Ryots from their use, would be to cut off from them an extensive source of supply. 2nd The Ryots of the Mulnaad are habitual Toddy drinkers, to deprive them therefore of their usual beverage would be to annoy them exceedingly and create very unfriendly feelings towards the Planters. 3rd The amount of "Cundayem" realized by Government is upwards of 2000 Rupees, a sum invariably realized, without any difficulty.

which present themselves most prominently in this matter, and tho somewhat opposed to abstract justice I am disposed to think that the only practical solution of the difficulty, is to remit the tax on all the Estates of Europeans who clear and fence their property, and retain it in the case of all Native Plantations only they clear and fence their Estates in the same manner as Europeans. The only good reason for an order such as this, is, that the Plantations of Natives are, even when in bearing little better than Jungles, and that

until they clear the land and make a garden of the Plantation the interference of the Toddy drawer can signify but little.-

7. By this arrangement the Ryots would not suddenly be deprived of Toddy, the decrease in the supply would be gradual, and time would be given to meet the wants of the people from other quarters and the European Planters would be exempt from the ingress and egress of the Toddy drawers, which is such an annoyance to them.

8. I would wish to have the Commissioner's concurrence if he agrees of the arrangement here proposed.-

I have the honor to be

Sir,

Your most obed.t Serv.t

Camp Bagalcau
23.rd January 1863

Superintendent
A.D.C.

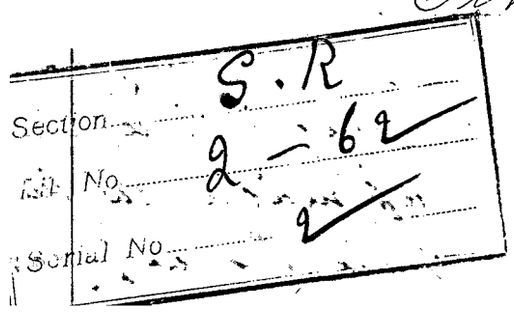
No 391

Mysore Comm Office

To

The Supt Ashtagram Division

Sir



D 31/1/63

I have the honor, by desire of the Comm, to communicate the following observations with reference to your letter No 795 of the 23rd Inst.

2. As regards the ~~or tax on toddy trees~~ kindajem, there is little difficulty as the ~~any~~ ~~huge~~ ~~huge~~ amount ~~any~~ be remitted ~~because it is trafficing~~

3 The plan proposed in your 6th para may be worth a trial, but if introduced it should be by giving a general notice to ~~the~~ all Planters

1863. No. 391

To.

The Supt. of the
Ashtagrame Division

Dated
Despt. } 31st January

No. 391.

With reference
to letter No. 795 of the 28th
inst. I convey Comp.rs obse
vations on the subject
of the Begamay Jay in
the Mulhaad Talooka.

Ans. D. No. 1863 Re. 873

Planters generally understand without distinction that they must fence their plantations.

If this plan seems impracticable Planters wishing to keep the Toddy drawers out should compensate them as the Pattah apparently makes no provision for any other class than farmers, and it could not have been the intention of the late Commissioner to rescind a privilege of the ryots of long standing.

I have &c.

A.A.C.

Secretary.

Before issuing final instructions however, the Govt. consider necessary to request further information on the character of the Tax in question. The amt realized is believed includes in the abkaree but it is not my clear whether are annually rented highest bidder, or whether prescription right to a few privileged individuals

A.A.C.

Bangalore
31st January 1863.

1863 No. 713

From.

The Supt. A.D.

To

The Secretary to the Commissioners

Dated 2nd March
Rec'd 3rd March
Read 12th March

Enclosures

No. 3

Submits for the consideration & orders of the Commrs. his views regarding Bagnigge &c.

Ordered that Lt. Col. Wilkinson be requested to report upon the within communication

6.3.63. Adl

Reply that the report seems to show the inutility of issuing any general orders on the subject. I am of opinion that it will be preferable to take up individual cases as they arise, suggesting to the Planters who object to the Rights of exercising

Section S.R. 62
File No 2
Serial No 3

their former privilege that their best plan is to buy them out which they can do at a trifling expense. The Govt would then relinquish its bondage

B 7/3/63

No 873

Ashtagram Superintendent's Office

To

The Secretary to the Commissioner for the
Government of the Territories of
His Highness the Maha Rajah of
Mysore
Bangalore

Section
File No
Serial No

Dated Camp Mysore 2nd March 185

Sir,

I have the honor to acknowledge
the receipt of your letter No 391 of the 31st January
last, and in reply beg to submit the following
explanation for the consideration of the Commissioner

With reference to Para 3 I must
say that I much doubt whether any general
notice however strongly worded, would induce
all Planters to fence their holdings. Fencing
alone would have any good results and they
would have to be heavy or they would be rambled
also; the only plan therefore in supercession of
the one first mooted by me is, I think to inform
all Planters who complain on the subject of their
Bungree bees, that they must compensate the
Ryots, if they wish to get rid of their interference alleged

as to limit the Cudayem, and levied the privilege would be a very distasteful measure which would undoubtedly cause dis-satisfaction among the Mulnaad Ryots.

4. In reply to Para 4, they state as follows:- Up to 1836/37 the Bugnie Cudayem was included in the General Assessment or Musserwanee of the villages, but it was then separated from the Musserwanee and levied under the head of Bugnee. It was again subsequently sub-divided into two heads designated, respectively Coolwar Puttu and Yaiksal Ezarah and as a rule both in Dumbarabad and Baikor the highest bidder has the rental included in his Coolwar Puttah year by year until some one come forward and bid higher for the trees, when it was struck out and transferred to the new renters Coolwar Puttah, on the same terms. In some cases however in both Taloks the right to draw the Toddy was given on yearly lease, and a distinct tender was submitted each year, but the former was the usual arrangement as the accompanying Statement of last years collections will show. Coolwar Puttah Collections Rs. 2025-9-..

Yaiksal Ezarah Collections ... 171-3-..

5. When the Abkaree of the

Division

Division was given on Contract these arrange-
ments in their general detail were not interfered with, the late Superintendent ordered that the amount should be struck out of the Talook Revenue Receipts in a lump sum, and paid over to the Contractors which as far as the people are concerned has left matters exactly on their former footing.

6. I confess that I see only two plans of arranging the matter, either the Ryot must be compensated by the Planters who wish to get rid of them as suggested in your letter under reply, or a remission may

properly fence and clear their lands.

Camp Hyson
9th March 1863

I have the honor to be
Sir,
Your most Obedient Servant

Superintendent
Ashepoo Ferry Division

Division was given on Contract these arrange-
ments in their general detail were not interfered with, the late Superintendent ordered
that the amount should be struck out of
the Taluk Revenue Receipts in a lump
sum, and paid over to the Contractors which
as far as the people are concerned has left matters exactly on their former footing.

6. I confess that I see only two plans of arranging the matter, either the Ryot must be compensated by the Planters who wish to get rid of them as suggested in your letter under reply, or a Remission may properly issue and clear their lands.

Camp Mysore
9th March 1863

I have the honor to be
Sir,
Your most Obedient Servant
J. Caldwell
Superintendent
Ashtagram Division

No 426.

To.

The Supt

Mysore Commr Office

Ashtagram D

Sir.

In reply to your letter No 873 of the 2nd Inst, I am desired by the Commr to state that the report ~~enclosed~~ therein seems to show the inutility of issuing a general order on the subject of Bignee trees on Estates held under Puttahs. He is of opinion therefore that it will be preferable to take up individual cases as they arise, suggesting to the ~~Planters~~ Ryots exercising their former privilege of drawing toddy, that their best plan would be to buy ~~the Ryots~~ out, when they can doubtless do

S.R.
Section
File No 2 67
Serial No 67
B 11/3/63

at a trifling expense
to Smith then
relinquish its Kandayan.
I have &c
Sd/-
Secretary,

Bangalore
12th March 1863

1863. No. 426

To,
The Superintendt of the
Chittagong Division

Dated 16 May 1863
Registered 23
Issued 25th March
Despatched 26 June

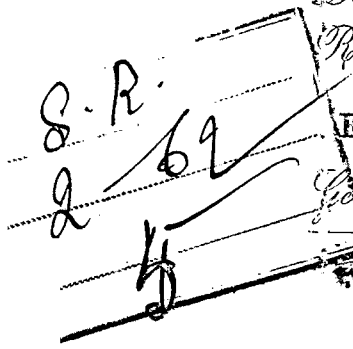
Letter No. 426 dated 16th May 1863 from the Superintendent of the Chittagong Division
Letter received by the 2nd Assistant on the 23rd June 1863
Letter answered by the 2nd Assistant on the 26th June 1863
Letter No. 426 dated 16th May 1863 from the Superintendent of the Chittagong Division
Letter received by the 2nd Assistant on the 23rd June 1863
Letter answered by the 2nd Assistant on the 26th June 1863

From the same to the same

Read & Rec'd Note

— 12 — F. Genl No. 314

From. 1866.
The Superintendt.
Architect
To. The Secy. to the Commrs
of Lunacy of Ireland
Dated 26 April
Despatched 27 April
Received 30 April
Rgd. 30
Enclosures No. 2



General No. 1 } 1865–66.
Genl No. 124 }

Reports on prts.
Lins forwarded with Offl
Memo. No 922 of 26th last
February

Colam 30 Jan 66

FD I concur
I apply in the Terms of prin
by the Sec. P.R. 30/4/66

Transl. Dupatt. No. 795 of 23-1-63.
Trans. Sec'y. No. 391 of 31-1-63.
Trans. Dupatt. No. 873 of 2-3-63.
Trans. Sec'y. No. 1,196 of 13-3-63.

Transl. No. 125 of 63-86. Asstn. Dupatt' Officer
Issued No. 126

To.

The Secretary to the Commissioners
for the Govt. of the Territories of
H. H. The Maha Rajas of Mysore
Bangalore.

Mysore 26th April 1886.

I have the honor to acknowledge
cript of Dpt. Transl. No 922 of 26th
of last Month and in reply, beg to
transmit for the Commissioner's perusal
Copy of a Letter from the Mysore
Dy. Superintdt.

2. By a reference to the correspon-
dence marginally noted, it will be
seen that this matter has been fully
reported on by me in 1863, and that
the Commissioner decided that no
general rule should be promulgated
- but that each case should be dis-
posed of on its merits.

3. I have only now to suggest that
the same indulgence which was pre-
viously accorded to European Planters
may now be granted to Native Planters
when

when they bring a case forward individually - and when they produce a Mahogany to shew that the particular plantation referred to has been cleared and fenced —

I have the honor to be.
Sir
Your most Obt Servant

Superintendt.

Copied. D.O. Ashtrops

No. 950

Deputy Superintendents Office
Chapra District
Dated 26th March 1866

To

The Superintendent
Astagrams Division.

Sir,

With reference to your docket as per margin, I have the honor to bring to your notice that the question at issue has been settled as far as the European planters are concerned, by the Commrs orders passed in letter from the Secretary to your address under date 12th March 1863 No. 426, in which it was directed that individual cases should be taken up as they occurred, and that the planters should be advised to buy out the ryots who were privileged to draw the toddy.

dated 9th March/66 No. 577/66 forwarding for report copy of Revd Offg Memo from the Commrs Office of 28th February 1866 No. 972 enclosing a petition No. 4763 from the Native Coffee planters of Coginalully, Hobby, Munjerabad Taloob, soliciting that Bonsay drawers be prohibited from entering their plantations as they injure the trees &c

2. It seems difficult to deny to Native planters the indulgence which has been granted to Europeans, when the terms of the Puttahs held by both Natives and Europeans are identical but it is nevertheless advisable to prevent the ryots from being suddenly deprived of their supplies of toddy, and I would suggest that any planter who may hereafter wish to preserve the bonsay trees in his plantations for his own use, should

be required not only to buy up the right of the Bugnay Contractor for the time being, but should also be called on to pay to Government an amount equal to the Condonjon or sale proceeds of the last five years.—

3. The Todd Contractors of the Division might be given whatever sum they could claim on account of the unexpired portion of their Contract, the balance being credited to Government.—

4. The Original petition received with your docket under reply is herewith returned.—

Thanking you

Yours &c

H. C. Thomson

Offg. Dist. Supdt

Kalyan District

Copy

Superintendent

Dist

Common Form
No. 6

No. 4768

Received from Mr. Kishori Lal Goswami
Rs. 2

Signature of Witness

Kishori Lal Goswami

Signature of Witness

Kishori Lal Goswami

Signature of Witness

Kishori Lal Goswami

Inst.
6. 33

Genl
From

1866. No. 42
2

To The Supt. of the
Ashtagram Division

Dated
Despatched 2nd. May
Received

S. R.
2
62
6

Enclosures No.

General No. 42
General No. 2
} 1866-67.

Referring to letter No. 572
12.4
of the 26 Ult. states that the
Commr. Concurs in the views
Expressed regarding the
prohibition of the Bagur
Contractors from Entering
on their plantations,

Govt. Mill

To Foreign Dept.

Ab

No. 3407-2-5-66=

Mysore Commissioner's Office
Bangalore 2d May 1866

No. 42

Encl: 2

To

The Superintendent of the
Goldtagram Division

Sir, I am directed to acknowledge the re
[illegible] reference to your le
on the subject of [illegible]
Dec. 725 of the 25th Ult.o, [illegible]
126 and to state that

Rs 1/5/66

[illegible] from
Native Coffee Planters of
Cabully in the Tamperabad Taluk
asking that [illegible] Contracts
prohibited from entering their
plantations.

the Commr. concurs in the
views expressed by you in the
Case noted in the margin

Yours
Secretary

No. 6.

Gen. No. 6333

Revenue .33

S. R.
2/7/61
6

Port Elizabeth Camp Coorghul 11th Feb. 61.

To

The Asst. Under Secretary

Sir

As it seems to be highly desirable to definite Orders about Could devise with to prevent the frequent unnecessary breaking vehicles from a recent reference to this Office, appears to arise between Proprietors of Copper Estates and the Road Contractors, relative to their respective rights to appropriate and dispose of the Timber extracted from Burying Trees in Copper Mountains, the Copper Commissioners request that you will, after observing upon the communication with the Deputy Surveyor, report to this Office what practice prevails in the different Districts of the Division in regard to right of disposing of obtained as above stated, and what course you would propose to adopt in order to reconcile such discrepancies, and to introduce a uniform and satisfactory system

1667

party circular.

Dec. 1st. 1933

Dear Sir,

Regarding the
above-named
Company.

Dec. 6333
33

Referring to the
above-named matter
I am directed by the Dir-
ectors of the said
Company to advise
you that unfortunate-
ly, owing to the
very considerable
difficulties under which
the Company is
now labouring
it is impossible
for them to
continue the
payment of
any dividends
on the Ordinary

8/
G.10

Yours truly,

Secy.

1933

Dec. 1st.

Dear Sir,

Regarding the above-named Company.

Referring to the above-named matter I am directed by the Directors of the said Company to advise you that unfortunately, owing to the very considerable difficulties under which the Company is now labouring it is impossible for them to continue the payment of any dividends on the Ordinary

1
No 10.

Section S. R.
File No 2 of 6
Serial No 4

Revenue 1867 No 211.

From The Supt. A. Dist.

To The Secretary to the Commissioners

Date 5th March

Despatched —

Received 9th Do

Reg. 11th Do

Enclosures No.

General No 394 1856-67.

Rev. No 208

Refers to letters No 279 of 28th Jany 63, 8730 of 2nd March 63, and 225/224 of 26 April 66. pro. pd. particulars regarding the Buggy tax in relation to Coffee plantations.

Papers returned

Copies of Rev. Circulars &c. &c. appertaining

Comm. 13/3/67

The enumerated returns of the Receipts of Revenue from the District Offices will be wanted — by the beginning of the letters post up with the Diary should be forwarded to the Comm. 13/3/67 Secy

Print No. 3941 of 1866/7
dtd 20.8

T. Ashtagram Supdt. Officer

To

The Secretary to the Commissioner for the Govt of the Territories of the Rajah of Mysore
Bangalore

Dated Mysore 5th March 1867

Sir,

Re 6333 of the Com. 33 of the 11th Feby 1867.

With regard to your Circular marginally noted, I have the honor to state for the Offg Commissioner's information that I have forwarded copy of the letter on to the Deputy Superintendents for an expression of their opinion, the replies will be transmitted in due course.

2. With reference however to the subject of the Burgess tax in this Division it is unnecessary, and effect when considered relatively with Coffee planting, I would beg to point out for the Offg Commissioner's information that the exact position of matters has been fully discussed and laid by me before Mr Bowring in

the three letters marginally noted and that distinct instructions were received in reply to each letter.—

No 735 Jan 1865—
No 873 Dec 1865—
No 725 Q 27 April 1866.—

5. Any additional information he may possess, which I can afford on the subject I shall be glad to submit for his further consideration.—

(I have the honor to be)

Sir,

(Your most obedient Servt

J. Hooker

Superintendent

U.S.A.

Revenue 1867 No 41

From

To The Superintendent
The Secretary to the Board of Commissioners

Dated

Despatched 5th June

Received 7th June

Ref 4th June

Enclosures No.

General No. 864

Rec'd No. 24

Sept. 1867

Submitting a Report and Estimate of the Expenses of the Establishment for the Year 1868-69

Copy

Ans. 5th Sept. 1867

Dist. Superintendent's Office

Genl. No. 867 of 1867/8
Rev. " 413

To

The Secretary to the
Commissioner for the Govt.
of the Territories of His Highness
the Maharajah of Mysore
Bangalore

Dated Mysore 5th June 1867

Sir,

In continuation of this
office letter No. 394. of the 3rd inst.
March, I have now the honor to
forward for submission to the
Commissioner the replies received
from the Dy. Superintendents of
Mysore and Hassan.

From the former it will
be observed that there are no Bujja
trees yielding toddy in the Kadoor
Plantations of Mysore, the Deputy
Superintendent of Hassan embodied
his observations on the subject of the
revenue derivable from Bujjas pre-
pared by Mr. Krishna Row and Mr.

Robert

decided a case / letter from this
Office No. 795 of 23rd January 1863 para
4 / at issue between the former and
Dr. Liddle a Coffee Planter in
Bangalore by remitting the
Revenue on the trees of his Estate,
or in other words by transferring
the trees with the right of drawing
Revenue from them to Dr. Liddle.

Major Pearse in 1863
recommended that a similar Course
should be pursued in regard to all
plantations, cleared and seized,
and at present, disputes of this
nature are, under the authority of
your Office letter No. 426 of 12th
of March 1863 disposed of individually
on their merits as they arise.

Captain Dawson advocates
a continuance of the practice now
in force, remarking that the
Revenue is first fixing Yearly ex-
ceeding Rs. 30000 /; Dr. Pinkney
Rowe recommends that the trees
be strictly conserved wherever found,
that the planters be encouraged to
keep up the Royal privilege,

that

of Encouragement on the above princi-
-ples. A large proportion of the
trees are found on Coffee growing
land and it is to be regretted
that the question was not fully
discussed when the form of Pattah
issued to Coffee Planters was
under Consideration. This Clause
of that Pattah no doubt deprives
the Planter from the profits of all
petty Jaimash of Revenue, but not,
as stated in your Office Letter No. 391
of the 31st January 1863. from the
long standing privilege of those
Ryots who from time immemorial
have enjoyed the produce of these
trees. By this ruling apparently
as soon as a Jungle is taken up for
Coffee planting, the Ryots to
whose Village it is attached, be-
-come the exclusive proprietors of
the "Bijuri" within its limits,
and the Planter was accordingly
recommended to buy the privilege
of drawing it from them.

3. In 1863 a Pattah dated
when Suspension out of this Division
decided

Robert Elliot of Baithen Gully -

2. Previous reports by Major Pearse have already described the nature of this Duty, and its bearings on the various classes interested in its administration.

Formerly the practice in regard to its management was, either to sell the right of drawing and retailing the toddy from the Bungaree trees by Villages or Stobbies as communities, allowing the farmer to arrange with those upon whose land the trees grow; to confine to the heads of Villages or proprietors of Tickets / who are entitled to draw free for their own use / on payment of a fixed quit rent the right of disposing of the toddy from the Bungaree trees; or a combination of these two systems, - more recently the right has been included in the general toddy Contract given in the year 1862/63 to Messrs. Edwards and Co. - a Bangalore firm, for the whole Division for Jaggery, and they publish and dispose of the details

that the Bugny trees in Kittuls be
vested to the Proprietor of those Kit-
tuls; and the right of drawing from
those in Sircar Jungles be sold an-
nually to the highest bidder or to
the Potails of the Villages to which
they belong; Mr. Robert Elliot is
of opinion that the Coir in Kittuls
should be relinquished without re-
serve to the owners of the Kittuls
in which they grow, that Coffee
Planters should pay the Rates pre-
viously paid in till the Coffee Estates
exceed the date when the latter
should cease, and that the Coir
on Government land should be
sold by auction; - observing that
the wood of the Bugny is one of
the most valuable and useful
woods in Kurnjerabad.

5th. The Revenue involved in
this question as already stated is
but little in excess of Rs. 3000. Capt.
Thomson and Mr. Tristram Ross
are in favor of a continuance of
the existing practice as regulated
by your Office letters No. 3910 & 426

of

of the 31st January and 12th March 1863,
Mr. Robert Elliot advocates what
is tantamount to a remission of
the duty on all but Government
lands.

I beg to submit for the
consideration of the Commissioners
what appears to me to be a fair
and convenient arrangement for
the settlement of this question,
viz. that the right of drawing and
disposing of the Coffee from Bugny
trees on Government lands be
held by the contractor for the
time being, as purchased by him
from Government; that the pro-
prietors of Kittuls be required to
pay for the right of disposing of
the Coffee drawn from Bugny trees
in their Kittuls, retaining the
right of drawing free, what they
require for their own use; and that
all Coffee Planters who have occupied
their lands agreeably to the conditions
of the Pottah be left in undisturbed
possession of such trees as they may
desire to retain for the use of the

Coolies

Sir Vide 13th Inspection Report Quarters and Hospitals in Mauritius for 1883 attached Sir Colonial Secretary

Quarters on their Estates without the option of dispensing of it in any way to the detriment of the Contractors interests.

I have the honor to be

Sir,

Your most Obed.t Servant

Superintendent

Salutagram Division.

1867

From The Dy: Supt.

To Mysore

The Supt. of the

Asht.m Dy.

Date 13th
Recpd " } March 1867

Enclosures None

General No. 2868
" " 1214 } 67.68.

Your Cir: No. 305 of 6th Instant

With reference to the above informe that no Jow is drawn from Bagandy trees in Cotter Cusoms i this Dist.

Sd/ J. M. McStuteline
Dy Supt. Mysore D.

Hassan District
Dy: Supt.s Office
Camp Attiwoipa 20th May

To

The Supt. Ash Dy

Sir.

No 305-67 6th Instn
1867.

In reply to your D/as per margin, I have the honor to submit that according to the ruling conveyed in letter from the Secy: to the Supt. Ash. D. of 12th March/63 No. 426 provincial cases were to be taken up as they occurred and Planters who pur so to secure their coolies from annoyance, should buy out the ryots who claimed the privilege of drawing toddy from the trees in the plantations and Govt. were then relinquished its Kanoongoe

2. This system was extended to native planters with the additional proviso that they should produce evidence that their plantations were cleared & fenced — See letter from Secy: to the Supt Ash: Dy of 2nd May/66 No. 62.

3. The points for consideration in this matter are:—

1st That Planters shd be secured from the annoyance & injury they are liable to suffer if Toddy men have access to the Bagnay trees in the Estates

2nd That the ryots shd not be deprived of the beverage to which they have been accustomed.

4. There are barely any Bagnay trees in the jungles which are not taken up for Coffee Cultivation, so the revenue may be said to be mainly raised from the trees in the Estates of Europeans & Natives. It however only amounts to Rs 3000, and is not a very serious Consideration.

5. The orders in force if properly carried out, seem to effect the best Compromise that can be made between the Conflicting interests of the Planters and the ryots.

6. Any measure which by handing over the trees in Coffee lands absolutely and at once to the pattah holders deprives the ryots of the Inlnad of their Toddy would create an angry feeling of discontent and be most impolitic.

7. The planters can under present regulations obtain a proprietory right over the trees in their estates if they choose to incur a certain Cost, & I do not see that they have any reason to complain.

8. Enclosed is a letter from Mr Krishna Row of 11th May 1864, No 56 giving his views on the subject. A Copy of a Memo drawn up by Mr R. H. Elliot of Batchinhully at my request is also forwarded for perusal.

I have the honor &c &c

(Signed) H G Thomson

Offg Dy Supt

Salem Distt

1st Class Apptl Supt's office

Salem Distt

No 56.

Dated Nagpur 11th May 1869

To

The Offg. Dy Supt
Nagpur Distt

Sir,

Adverting to the Correspondence noted in the Margin regarding the right of Proprietors to dispose of Toddy obtained from Bagnay trees I have the honor herewith to submit original petitions with their Enclosures recd from the Amildrs of Munzerbad Ballore & Maharajpoorg.

From these it will be seen that the present practice is to sell by auction to the highest bidder the farm of Bagnay at the beginning of each year, by the Village, leaving the Contractor to Extract Toddy from as many trees as he can, & retail it. The Coffee Planters generally refuse permission to enter upon their Estates, and one or two in Maharajpoorg are said to have destroyed the trees, but the Gharoas manage to procure their Requirements from those to which he has access. The total amount of Ghara realized last year was Rs. 3023 " 12 " 1 ——

Though not allowed to by the Amildrs a few of the Coffee Planters in Munzerbad have themselves rented the Bagnay trees growing in their gardens and it is understood that they let them to pass to Ballore Cottiers who drink toddy in Exchange for their personal Service on shooting Excursions &c

The amount Collected under this Head last year was Rs. 210 " 13 " 4. ——

As regards the best means of reconciling the interest of Coffee Planters and Bagany Gharoas, the Amildrs of Munzerbad recommend that a tax might be imposed on the trees, an option given to planters to rent those growing on their Estates

and

and a restraint imposed upon their destruction while the Amildar of Bailoor Suggests the Expediency of farming the Item of the Extractors of toddy on Condition of the Revenue derivable from trees on Coffee Estates Ceasing when the gardens Commence to be productive. The Amildr of Maharajdroog is of opinion that the number of trees in European plantations is too Small as compared with the whole, and that they may either be Exempted from payment altogether or rented to the proprietors & the remainder farmed as usual.

This divergence of opinion is accounted for by the difficult Nature of the question for while on the one hand the ryots have been by immemorial Custom entitled to the use of the Bag. nay trees, More Especially in the Munzerabad Taluq where an allowance of Toddy is reckoned among the perquisites of the office of Potail, a pledge on the other has been given to the owners of Coffee estates by the terms of their Puttah that they will be "Exempt" from the joints of all jungles & other Ghauvans.

The only mode of Solution that Suggests itself is: I wd beg to submit to make it a rule that the Bagnay trees wherever they are Situated be wantonly destroyed, that Coffee Planters desirous of Securing the immunity Set forth in the Puttah should buy up the rights of the Villagers, or at least obtain a Muchulka from the majority of them relinquishing their rights; that all Bag. nay trees Situated in "Hittals" be rented to the Proprietors and those growing in the jungles at large if any, either to an Ghauvar by Competition or to the Potail of the Village for a fixed Sum.

The plan of taxing the Bagnay trees by their number appears open to objection. It

would

would be much better to fix an assessment on the basis of the average proceeds of previous years.

I have &c &c.

/Signed/ Krishna Row
Asst Supt

Copy

/Signed/ H.G. Thomson
Offg Dy Supt

Memorandum of Toddy trees in Munjerabad
Drawn up by Mr R. H. Elliot of Batchiahully

The object of this Memorandum is to show how the toddy tax in this Taluq may be adjusted so as to protect Existing rights over the trees themselves & so as at the same time to secure to holders of Coffee lands the full rights over them, of property.

I will first of all give a brief account as to the way in which these trees are at present let.

Every ryoti house is surrounded by a piece of land which is called Kattloo and for which they pay a small tax. These Kattloos vary in size from say half an acre to two or three and the toddy trees contained in them have been solely enjoyed by the owners of the land from time immemorial. The Shondas own the produce of their trees. The Lingaits put their produce into their pockets. To interfere with either of these ancient rights would be obviously dangerous & unjust. We are now come to the trees which are in the jungle & in that term I include all forest lands whether adjoining or distant from Villages. and here I cannot at once discover the Existence of any fixed rights whatever. The Guttahs were sometimes in the hands of persons who sublet them to toddy men, sometimes in the hands of the toddymen themselves, and though these Grants were not published but

up to auction, any one who made a highest offer for any particular holding could obtain possession of it. In this way especially of late years lands have frequently changed hands

Lastly there are the trees in lands taken up by Europeans where there exists considerable confusion. It was ruled at one time that as in the case of the Caroamum tax, the payment of the toddy tax should cease when the amount of tax as recorded by that produced from the coffee grown on the land. This rule seems to have been confined entirely to Europeans and I am not quite sure that even with them it has been universally applied. There are further complications connected with this part of the subject, wh I need not mention. Enough has been said to show that the whole question requires to be taken up and adjusted. I may here mention that toddy trees exist only in jungle lands, and as all these lands have been taken up for coffee there is hardly such a thing as a toddy tree in Govt land

Now for what should be ruled for the future:-

1st All the toddy trees in Ryotwar lands should be exempted as they have hitherto been and all Ryotwar owners should be allowed to do as they have always done what they like with the produce.

Secondly: All the toddy trees in coffee land should be held by the owner of the property and at the rate of tax previously paid for them, until such time as the amount of Market paid exceeds the toddy tax when the latter shd cease. In this case the Govt would as in the case of Caroamun tax, be exchanging a small tax on produce for a large one. But whether the Govt continue the toddy tax or not it

What would be the amount of tax?

ds

is worthy. Very desirous to do away with the Extraordinary animosity that at present Exists where two individuals may have distinct rights over the same piece of land - the one as Coffee Planter - the other as renter of the Coody trees —

Thirdly: The Coody trees in Coffee lands should be put up to auction annually. A Coody tree after it has ceased bearing from age, is one of the most valuable and useful woods in Manjerbore bring uses for a variety of purposes but Especially as rafters for roofing houses

A Coody tree Comes into bearing in about 14 or 15 years but how long it Continues in bearing. I have not been able to ascertain

"True Copy"
Signed/ Alg Thomson
Asst Superintendent

Signed
Superintendent
Adra

Ceylon 1867 No 4

From Inspector Invested

In Charge

To Treasury & the Colonial Secretary

Dated 7th June 1867

Despatched To the

Received 14th "

Read "

S. R.
2 - 62
10

Enclosures No. 4.

General No. 131
Rev. No. 49. } 186 - 6

In reply to Yr Circular No 6333 regarding the practice prevailing in the Division in disposing of Coco Nuts from Bogus Trees on Coffee Estates, forwards copies of reports rec'd from the Districts with his own views on the matter.

General No. 131
Dist. No. 49.

Nugur Division Supdt's Office
Shemogah, 8th June 1867

To,

The Secretary to the Commissioner
of Mysore

Sir,

I have the honor, in reply to Circular No. 6333/33 of the 14th February 1867, to enclose copies of the letters* received from the Deputy Superintendents, reporting on the prevailing practice as regard to the right of disposing of Toddy drawn from the Sago palm trees growing on Coffee Estates.

From Dy. Supdt of Shem. No: 59. d/27th April/67.
From Sudoor No: 48. d/26th April/67.

2. Having been also called on to state, what course I would propose to adopt in order to obviate disputes between proprietors and the Toddy Contractors, I have the honor to observe that, so long as the Toddy Contractors possess, or are supposed to possess, any claim to the toddy produced in these Estates, disputes are inevitable. European planters do not

recognize

recognize any such rights on the part of the Con-
tractors, considering, and in my opinion
justly so, that clause 4 of their Coffee Puttahs
exempts them from the visits of Toddy Drawers
as well as of all other petty Contractors, and
it is therefore only the Native planters who
submit to the practice, simply because it
is customary, and because they are not aware
of the grounds on which they could plead
exemption.

3. Justice requires, that they should be
put on the same footing with the Europeans
if the latter are to continue to be exempted
as authorized by their Puttahs, but did this
reason not exist, I should still consider that
the best course would be to permit all persons
who have obtained Coffee Grants to enjoy the
produce of the Bhugnee Trees on the same
principle, that Ryots in the Open Country
are permitted to possess date trees standing
in their fields immediately their lands have
been

* Yes but the new Lease is a private one & not a Lease from Govt

been surveyed and assessed, and that Ram Wargde are allowed to draw Bhumiee Todee themselves not to sell it.

I have delayed my reply in expectation of obtaining a copy of the Survey Rules on this point introduced into Chittuldroog but as I have not yet received them, I defer no longer, as I understand the above to be the practice, and it appears to have been sanctioned by the Bombay Government on a reference regarding date trees when the Survey Rules were under discussion. I beg therefore to append Extracts from a private Copy of my own, of the Selection of Papers relating to the Revenue Survey (India) being a Return to an order of the House of Commons, 22d July 1853.

The correspondence is in the Mis. Part

5. Coffee Estates for which Puttahs have been issued, are of the nature of the fields surveyed and assessed by the Survey Department, for although the measurements are not so accurate

accurate, they are conducted by Govt., and the Puttahs are based on them, for which reason I think the same general principles should be applicable - Under this view the toddy trees would be the property of the Puttah Holders, who would be at liberty to preserve or cut them down as they pleased, and to use the liquor themselves, or permit their people to drink, but not to sell it - Although the question has been often raised, it does not appear to me, one of very great importance - The whole revenue from Bhugnee is only ~~Rs~~ 5,531. and the result of the Course recommended by me, would be the surrender by Govt., of the proportion of the tax now, as I think unjustly, collected from Native Proprietors of Coffee Gardens - leaving the amount collected on account of trees standing in Sirkar Lands to be the subject of Contract as now -

6. The return in the margin,* shows approximately what this result would be - Lucknolly,

Coffpa

Coppa and Wastara being the principal Coffee Talooks and the total revenue thereon under this head, being only ~~Rs~~ 2,200. of which perhaps half only is derived from trees growing in Coffee gardens -

Anuntapoor	310
Sangur	415
Nugur	150
Lorub	2,215
Cowledroog	310
Coppa	106
Lucknawally	310
Wastara	1715
	5,531

7. I append also a copy of the order of Colⁿ Onslow on the subject of private Rain from which it will be seen that, if the course recommended by me, is adopted, the system will be uniform in the case of Date trees on surveyed and assessed land; of Sago palm trees in Coffee gardens, and in private Lands.

I have the honor to be,

Sir,

Your most Obedt Servt

Asst Superintendent

Nugur Division

Compd

C. Elliot

Rules Bombay Survey

f.d. dated 28 February 1849 No. 1496.

2nd All crops upon land have been absorbed in the new assessment; consequently when there are fruit trees in a field, their produce is to be taken by the cultivator, and nothing beyond the assessment placed on the field levied on that account from him, but in the case of valuable fruit and other trees, standing in fields assessed at dry crop rates, and not in cultivation at the introduction of the Survey, and the produce of which it has hitherto been customary to sell on account of Government, the right of property in these trees, and of occupancy in the field, should be offered at a fair upset price, and sold once for all by public auction to the highest bidder, and nothing

in

in excess of the survey assessment thereafter exacted - But, if no one offer to undertake the cultiva=tion of the field on these terms, the produce of the trees may be sold annually, according to cus=tom.

11th. Holders of Government fields, besides those specified in preceding rule; or occupants of inams, jodee, or enam lands hold=ing the same from Government,* must obtain permission to cut down trees, and will, in event of per=mission being given, be re=quired to plant two trees for every one cut, unless exempted from this condition by order of the Col=lector. The permission to cut trees under this rule, and also trees in Government waste fields,

G.L. Nos. 390 of 1847 and G.L. Nos. 6,900 of 1849, para 12.

* have permission to cut down babool, date and all young timber trees, with the exception of those growing on the boundaries, which are to be preserved as land-marks, and fruit or large timber trees, none of which are to be cut down without permission from the dis=trict revenue authorities, unless the property of the holder by purchase, under the provisions of Rule 2.

for any purpose connected with agricultural operations, to be granted by the Patel and Coolcurnee on application, a record thereof being kept for the inspection of the Government Officers - For other actual and immediate wants of the villagers, such as repair of houses &c, permission to be obtained from the Mamlutdar or Mahalkurree; but for cutting any large number, or for any purpose of sale or profit, the permission of the Collector, or one of his Assistants to be necessary, when any conditions which may appear advisable can be imposed.

No. 206. of 1848.

From Captain G. Wingate, Supt. Revenue Survey and Assessment, Southern Mahratta Country, to W. Courtney, Esquire, Acting Secretary to Government, Bombay.

Superintendent's Office, Dharwar,
26th October 1848.

The produce of the wild date, referred to by Dr. Gibson, is an intoxicating liquor obtained by tapping the tree; and the privilege of drawing off and selling this juice forms, in this Collectorate, part of the monopoly of the sale of spirituous liquors, which is annually farmed out to the highest bidder; but in other parts of the surveyed collectorates it may be farmed out separately. Subsequent to the introduction of the new assessment here, the provision in the liquor contractors' lease regarding these trees has been limited to the right of tapping those standing in government waste; for it would

be

be wholly at variance with the principles of the Settlement to allow him a right of intrusion upon fields in cultivation, but I am not aware that the restriction has had any injurious effect on the sale of the liquor contract.

No 675 of 1849

Secretariat Department, Revenue

From C. H. Townsend, Esqre, Revenue Commissioner, Southern Division,

to W. Courtney, Esqre, Acting Secy to Government.

Revenue Districts, Revenue Commissioners Camp, Tuddaloy

7th September 1849

5. On the subject of the weld state, Dr Gibson appears, in his letter of 18th November (para 9), to have somewhat misunderstood Captain Wingates

explanation, which had no re-
ference to the unimportance
of the toddy farm, but to
the fact that Government has
not, and never had, any
right in the date tree itself
as such. The cultivator who
has date trees in his field
has the same control over them
that he has over any other
trees on the same ground; he
may draw the juice or not
draw it; he may preserve the
tree or cut it down, to the
same extent that he could
deal with any other tree; but
if he preserve the tree, and
draw the toddy, he is entitled
in the disposal of the latter
by Regulation 21 of 1827, chapter II.
I fully agree with the Superintt.,
that the destruction of these trees
is on no account to be regretted,
should it take place; I can add

nothing to his forcible exposition of their pernicious influence, where abundant, on the native population.

No. 1496 of 1849.

Territorial Depart. Revenue.

From W. Courtney, Esqre. Acting Secretary to Government, to E. B. Townsend, Esquire, Revenue Commissioner S.D.

Bombay Castle, 28th Feby. 1849

Sir,

I have laid before the Right Honorable the Governor in Council, your letter, No. 675, of the 7th Instant, and in reply I have been instructed to inform you, with reference to para 26 of my communication No. 5,593 of the 22nd September last, that his Lordship in Council

has approved of Rule 2nd of the joint report of the Superintendents of Survey, dated the 2nd August 1847, for disposing of the produce of fruit trees standing in fields, with the modification proposed by Captain Wingate in the 6th para of his letter, No. 206 dated the 6th October last

I have &c
Signed/ W. Courtney
Acting Secretary to
Government.

(True Extracts)

Abbay

Offg: Superintendent
Engineer &c

Compd Cash'd

No. 59.

Shemoga District
Dy. Superintendent's Office
Shemoga 27th April 1867

To

The Officiating Superintendent
Seegur Division.

Sir

Adverting to your Docket No. 280 dated 4th Instms, calling for a report on the practice prevailing in this District, regarding the right of disposing of Soddy extracted from Bagnee trees growing in Coffee plantations, I have the honor to state the following.

2. All the Amildars, with the exception of the Kowledrog Amil, have reported that the proprietors of Coffee Estates farm out the Soddy in their gardens to Malapilleis and receive payment from them, but the Malapilleis people pay nothing to the Eezardars. The Amil of Kowledrog however reports that a proprietor of a Coffee Estate on his Salook states that he was formerly

receiving

receiving some cess from the Toddy extractors but this has since been discontinued.

3. With regard to the future arrangements I would suggest that either the sale of Toddy drawn on estates should be restricted to the Coffee gardens & drunk on the premises, or that the Halaspitiye people should pay Karaka to the Ecgardars as they do when drawing toddy from uncultivated Kahans.

I have the honor &c

(Signed) H. M. Elliott

Dy. Superintendent

1st Class

No. 48

Deputy Superintts Office

Tudor District

Chickmagloor 26th April 1867

From

The Offg Dy. Superintendent

Tudor District

To

The Superintendent

Nuger Division

Sir

In reply to your Circular No 280 calling for report on the practice regarding

the

the extraction of Toddy from Bugnee trees in Coffee gardens, I have the honor to inform you that in the Talooks of Luckwelly and Coopra the owners of Coffee gardens use the Toddy grown on their plantations but pay nothing to the contractor In Wastara the Native Planters give the contractors half the produce. The Amils of Surrikere and Chickmagloor report that the owners of Coffee Estates in their Talooks say that no Toddy is drawn from the Bugnee trees in their gardens.

In 1860 an order was issued that the owners of Coffee gardens are not entitled to the Toddy produced on their estates but this would appear to be in a measure cancelled by clause four in the Coffee Puttahs which prohibits contractors from entering lands taken up for Coffee Cultivation.

I think it would be advisable either to entirely prohibit the drawing of Toddy from Bugnee trees in Coffee gardens or else to put a stop to the sale

of

of the Soddy contract in the Talooks of Coopra Luckwally and Wootara.

The present practice is very unsatisfactory, and the cause of frequent complaints from the contractors who say that their profits are lessened by the owners of Estates selling the Soddy, it is also far from uniform as the only people who pay any thing to the contractors are the poorest and most uninfluential of the coffee growers.

I have the honor &c

(Signed) Alex: Lindsay
Offg Dy. Superintt
Outdoor District

(True Copies)

Offg Superintendent
Sugar Division

Copy. McSwiney
Compr. PR

No. 129. of 1865.

From

Major W. C. Anderson

Superintendent Revenue

Survey Mysore.

To,

Colonel Clerk

Superintendt. Sugar Dn.

Superintendt's office

Dharwar 5th May 1866.

Sir

At the settlement of the villages of the Davengere Taloka introduced this year, the people were informed that they were free to do what they pleased with trees standing on their own land excepting those standing on the boundaries which should be preserved as land marks; Captain Armstrong Deputy Superintendent of the Chitaldroog Division has tho' informed of my orders by the Amildar without any reference to me issued an order direct to the Amildar setting my orders on one side and directing the Ryots to be informed that

that they are not to cut trees stand=
=ing on their own land as they
are under the Forest Department.

2. The right to cut trees
standing on Ryots' own land does
not of Course extend to those hitherto
reserved, as for instance Sandal=
wood.

3. I forward for your in=
=formation the vernacular Cor=
=respondence ending with the
Amildar's report to me stating
that my orders had been Cancelled
by Captain Armstrong.

I have &c

(Signed) W. C. Anderson
Superintd. Revenue Survey
Mysore

"True Copy.

Asstt.

Offg. Superintendent
Salem Division

Comp. AM

Rec^d 1867 No 56

From The Supt. of Mysore

To The Secretary to the Commr. of Mysore

Dated 14th June

Despatched 15

Received

Rec^d 18

Enclosures No.

General No. 747 } 1867-68.
Rev: No. 551

Section S. K.

File No. 2-62

General No. 10

With reference to this Office No. 131 of 17th Inst. forwards Copy of a letter since received from the Dy Supt Chittl. proposing that the ryots should be restricted from cutting date trees on their lands & states that if this letter had been received sooner he would have deferred making his recommendations regarding Bagne trees in Office Circles.

Genl No 149 } 1867-68
Revenue 55 }

Sugur Division Supts Office,
Shemoga, 14th June 1867.

To,

The Secretary to the Commissioner of
Mysore

Sir,

With reference to my letter No 131/49 of the 7th Instan
on the subject of Toddy Trees standing in Coffee
gardens, I have the honor to forward copy of a letter
No 204 of the 10th Instant from the Deputy Superintt
of Chittuldroog, who considers that the Ryots should
be restricted from Cutting date-trees included in
their holdings, for certain reasons given-

2. If I had received this letter sooner, I sha
have deferred making any recommendation
regarding Bhugnee Trees, until I had Communicat
with the Deputy Superintendent again, as it woul
appear from the letter above alluded to, that a
although the Ryots may cut trees interfering
with their Cultivation, the Contractors have the
right to draw the Toddy-

3. In order to clear up this point, a refere
will be made to the Deputy Supt; but in the
mean

mean time, I think it right to forward his letter (copy) to obviate the possibility of the Commissioner being misled by my letter of the 7th Instant, No. 131/49.

I have the honour to be,
Sir,
Your most Obed.t Serv.t

WHSmith

Lieut. Superintendent
Angur Division

C. Ewart

No. 204.

Chitteldroog District
Deputy Superintendt's Office,
Chitteldroog, 10th June 1867.

To

The Superintendent of the
Kuzur Division

Sir,

I have the honor to draw your attention to the following facts and recommendations

At the time of the Revenue Survey settlement, the Ryots are informed that they can cut all Soddy trees and Date trees growing on their fields.

As a rule, I believe the Survey Authorities endeavour as much as possible, to measure such land as have many Date trees into separate blocks. As a rule, however, the greater number of Soddy trees in this District grow along the banks of the Nullahs which are necessarily included in Ryots' fields.

Now the practice of allowing Ryots to cut all trees which actually interfere

interfere with their cultivation, is no doubt, proper- But as I said before, the larger number of Soddy trees do not interfere with their cultivation, being simply scattered along borders of Pullahs-

The Revenue realized to Government from Soddy in this District, is very large; being considerably over one lac. The greater number of the Soddy trees are measured unavoidably within Ryots' fields. Even supposing that they don't want to cut the trees, by the present system, they are enabled to vex and annoy the Soddy-contractors- I beg therefore, to submit for your obtaining the Commissioner's sanction to the following ruling-

I The Ryots have no right whatever, or power over the Date trees measured within their holdings. They will in all cases however, should it appear that the trees in any way interfere with cultivation, be allowed to cut them down- but as their so cutting them after the commence-ment of the Revenue year, would lead

lead to confusion, They must at least, 2 Months before the commencement of the Revenue year give in a List of such trees as they propose to cut, and in Cases, where the number is excessive, it will be the duty of the Amildar to call for a report, shewing that the trees proposed to be cut actually interfere with Cultivation.

II No blocks of waste land containing large numbers of date trees should be given out for cultivation by the amildars without written order of the Dy Superintt.

By adopting the foregoing rules we will to some extent, lessen & render more gradual falling off in the Revenue from this source - at the same time, the yearly falling off tho' gradual, will nevertheless be certain.

I have the honor &c.a

(signed) J. G. Cumming
Offg Dy Superintt

(True Copy)

Offg Superintt

Revenue
From

1867. No. 4525
107.

To The Offg Superintendent
Ashtagram Division

Dated 9th November
Despatched
Received

Enclosures No.

General No. 4525
Rev. No. 107
1867-68.

Copy

Reply to No. 867/41 of the 5th
June last Conveys the Offg Comrs
Concurrence in the proposals therein
Contained on the question of defining
the various rights possessed in the
Sugarpalm or Toddy trees from which
Toddy is expressed in the Mulnad
Talooka

Copy sent to Offg Supt Ashtagram Division
No. 4525 dated 9th November 1867

Jud 525
Rev. 107

6th November 1869
Despt 11 in

S. R.
2 - 69
12

To Lieut Colonel Ozan
Sir I am directed by the Govt Council
Administrator to acknowledge the receipt of your letter
No 809 of 5 Instant transmitting
your views on the question of depriving
the various Legislatures possessed in the
Lagoon palm or Bugsy [illegible] trees from
which toddy is extracted in the Moulmein
Collectorate.

It appears to the Govt Council, from
the State, Expedient to reserve
that the Govt should retain, as heretofore
the right to the monopoly of the disposal
of the Toddy, for the sake the revenue
derived from the Excise & Comparatively
small amount. The strict Carrying out of
existing restrictions, & the salient purpose
of Mr R. K. Elliot, would undoubtedly
form a prejudicial effect upon other
branches of the Abkarry revenue. It
is understood that [illegible]
be demanded for Arrack manufactured
at the Sudder Distillery, the Govt
[illegible] by the Moulmein Collector,
from competition [illegible] by the
cheaper description of [illegible], and
although Govt right cannot be disputed
there is no apparent reason why additional
advantages not conceded; the Revenue

of the Revenue of the State & the
Secretary should be of opinion that
in the proposed enactment in the
last Para of your letter under reply
he will be required to ~~dispense~~ dispose
mode of the Returns, which it is
suggested, be prescribed by the
by the Payment, of Income should be
suggested whether, as an equivalent
to such mode, it would not be
practicable to effect the end, by
in the form of an additional Assessment
tax - It is probable that the Owners
of Vessels would willingly assent to
an increased tax on tonnage which would
be proportioned to the profits derived
in the course of their own employments,
& which would moreover relieve
them from the annoyances to which
they are now subject, from petty
contraventions.

Lwl
8 11.67

To Secretary
T. D.

Revenue

~~From~~ 1867

No. 4909
121

No. 4932
09

To The Offr Superintendent of the Ashtagrama Division

Dated 28th November

Despatched —

Received

Enclosures No.

General No. 4909 } 1867-68.
Rev. No. 121 }

Re Continuation of this Office
No. 4523 / 47 Dtd 9th Instant, Conveying
certain instructions regarding the
rights of Contractors, Ryots and Coffee
Planters to the Bagay or Sago Palm
trees

General No. 4909
No 121

Mysore Commr's Office
Bangalore 28th Novr 1867

To The Supdt
Arbitration Duty

Sir

In continuation of letter from this Office No. 4525 dt 9th Nov. 1867 in which [107] proposals contained in paragraph 4 of letter from Chief Commr of Mysore to Supdt Coorg No. 1107 dt 27th Sept 1867 for defining the rights of Contractors, Rights and Office Masters & the Buggy and Lapo Nelson & Bill's peculiar were carefully considered & Sean Sheehan Esqr Chief Commr has no objection & the Native Office Masters being placed on the same footing as Europeans -

With regard & the rights of the Proprietors of Estates, they are at liberty & grant what they require for their own Consumption and sell the remainder; but for this privilege the Commr is of opinion that they may reasonably be additional Assessment

to the Auditor may
adjudge the Contractor
as Compensation.

In the subject of the right
of Settlers & the Sale
Values of & its burdens,
Many persons owning in
their fields in the open
Country, have desired
information from the
Owner has suggested
the issue of a Notification
in the Gazette Extraordinary, that
occupants of land are
free to cut down dead
trees standing on their
own land, & that the
Contractor has no right
over trees in such lands.
This Notification will take
effect from in August
from the Copy beginning
of next Year —

Suggested & framed by the Settlement Commissioner

To Duffolin

Rec^d 1867 No 4939
From 109

To The Offg Superintendent
of the Engr Dept

Dated 28th November

Despatched 29th ——

Received
Regd 2nd December

Enclosures No. 3.

General No 4939 } 1867-68
Mem No 109 }

Jan 3/68 No 3-106 No 224

Referring to this
Office Yearly Circular No
6333 of 14th February last,
33
appends Copies of Cor-
respondence shewing
the manner in which
Conflicting Claims to the
Enclosure Water and Drift
produce have been
dealt with.

To The Dockyard Dept^t Noted 3/12/67

General No 4939 of 1867/68.
Rec'd No 109

Mysore Commr's Office
Bangalore 28th Nov. 1867.
Read 29 " — " —

To Lieut
Morgan

S. R.
2 62
134

Sir

Referring to Govt
Secretariat Office No 63
of 14 Feby 1867, on the
subject noted in the margin, I
have the honor to
forward herewith Copies of the
correspondence noted
in the margin, stating
the manner in which
conflicting claims of the
Bangy Tree and its
produce have been
dealt with
by me. No 4893/107 of this day's date
The letter of Lieut Morgan
Asst to Commr
authorizes the issue of an
Instruction regarding the
right of cultivators of the
Date Palm. The principle
of these Rules has in
practice been acted
upon in disputed between
Contractors & Coffee Growers
Coffee Planters about the

67 5th June 1867 - From
41 Lieut of Ashtagram
(without enclosures)

1525/107 9th Nov. 67 - do
Lieut of Ashtagram

No 4909/121. 29th Nov. 67 do - do do.
(today's letter is continuation
of above)

29/11/67

Burgoyne in Lago Nelson, and it is now affirmed as is contended by Native Coffee Planters also.

The restriction prohibiting the sale of Coffee & Plantains in Rykè, should of course be maintained, the only exception being in the case of the proprietors of Hotels from whom it is proposed to levy an additional Assessment in return for the privilege conceded to them.

Rykè should also be taken off the Jervois Block the Conditions of the Coffee Rattles in regards to the Inclusion of Land Planted up to within the term specified, have been complied with.

J
13.101

To State whether such drawers reside in the jungles or Burgs attended to. 8/2/70

B.J.

S.R
2-62
15

1 Revenue 1870 No 2347
From The Superintendent
Prangar
To The Secretary to the
Chief Commr.
Dated 31 January
Despatched 2-2-70
Received 4-
Rep 5-
Enclosures No. 4 - Orss to a sep. Cover
General Ro. 5106
Rev Ro. 229 1869-70
Govt No. 49 34 & 28 "November/6
Instructs Copies of Cor-
respondence & re-
-quests instructions
regarding the right
of the Halepykes or Hasla
in the Mulnad to draw
Toddy from Bagni trees
even if the Wuruddars of
the land wished to make
a better bargain with
some other persons.

To Ch. Comr. In Cong such drawers reside in the Jungle & attain an occupancy right, which is not shewn in this correspondence.
4/2/70
State as above request

Genl. 5106.
Rev. 229.

Nuggur Dr Superintr Office
31 Ct
January
1870.

To the Secretary to the Chief
Commissioner of Mysore.

I have the honor to request that you will submit for the consideration and orders of the Chief Commissioner Copies* of the proceedings noted in the margin.

A question has arisen regarding the absolute power of Wurgdars in the malnad Talooks to dispose of the right to draw the Toddy of the Bajaned or Sago Palm tree in the Wurg which as affecting a whole class of persons requires I think the decision of the Chief Commissioner.

In 1867 it was decided that the Wurgdars as proprietors of the land were proprietors of the Bajaned trees, but the point now in dispute is whether the Holeyas or Madigars, the two Castes who live by drawing the Toddy can by lapse of time acquire a subsidiary right which would entitle them to continue to draw toddy on the usual terms, even if the Wurgdars wished to make a better bargain with some other persons.

The Wurgdar is certainly the proprietor, but since an occupancy of 12 years as a sub-tenant of cultivable land has been held to confer a good title

* Extract from the Revenue Proceedings of Nuggur Rev. Dept. No. 23 of 30 Sept. 1869. Reply from Dy Supt. Shimoga 783 of 10 Nov. with Enclosures. do do Hadoor 874 of 22 Dec. 1869. also Proceedings in Mysore Appeal No. 309 of 1869-70 on the file of this Court.

vide Secy's letter No. 4939 of 28 Nov. 109 enclosures.

I have some doubt whether a lengthened tenure by a Halfpayth of an interest in the Wood land attached to a Farm should be governed by the same principles or considered as a tenancy at Will.

I have the honor to be

Sir

Your most obed.t Servant

Mackay

Superintendent

Extract from the Proceedings of the Superintendent, Nuger Division, Revenue Department, No 23 dated the 30th Sept/69

Miscellaneous Appeal No 30 of 1869-70

Immyah & 4 others vs Timmah.

Read Spl Appeal Petition presented to this Office by Immyah & 4 others, against the order of the Deputy Superintendent Shemoga District.

Read Proceedings in connection with the appeal.

The question for settlement in this case, is whether the Halapaikes & Hassuls, — professional toddy drawers, in the Inland parts the exclusive right of drawing & appropriating the Bagny Sandy produced in lands held by Wurgdars. The Spl Appellants base their claim upon a usage alleged to long established viz: that they exclusively appropriated the Toddy produced in Wurgo paying Consideration to the Wurgdars in the shape of rendering Services in cutting

areca nut in their Bagayet & tying "Kottays" around Bunches of the nuts to protect them against the attacks of "Kolaroga" a disease. They further state that they pay the Toddy Contractor a Certain Fee under the designation of "Kondy Karea" & watch the Bugnee growing Jungles attached to their village.

The Chief Commissioner on a reference made to him on the subject in 1867, decided that the right to the Bugnee trees in Wurgs, belonged to the Wurgdars.

In the present case, the parties at issue are, a Wurgdar who is stated to have rented the Bugnee in his Wurg to the ryots of other villages; & the Tasildr of the village who sue for a declaratory order to interdict the independent action of the Wurgdar.

Before passing any order

in the case, this Court is of opinion that the suit should be remanded to the Deputy Superintendent for report on the alleged usage represented to be immemorial, & whether this prevails in all the Inland Talugs of the District.

Ordered that an extract from the foregoing be forwarded to the Deputy Superintendent Chingleput for report.

True Extract
(Sd) H.L. Hay
Superintt

True Copy

H McDonagh
For Superintendent
Revr Division

JM

From 1869.
The Dy Superintendt
To
The Superintendent Chemogga & Sr
Dated 16th } Nover 1869
Despatched } Nugur & Sr
Received

Enclosures No. 1 & No.

General No. 783 } 1869/70.
No. —

Extract from the Pro-
-ceedings of your Cust-
Revenue department
No 23 dated the 30th ult
September last.

With reference to the
report called for in the
latter part of the above
as to the alleged usage
in the Inland Talugs
of giving Exclusive right
to the Halapyks and
Hassalo

Kassals of drawing and appropriating
the Bugnee sandy produce in lands held
by Wargdars, has the honor to submit herewith
an abstract of the replies received from
the collectors of Sangor, Sonde, Coolidroog,
Anegur, and Anantpoor on the subject.
2. The Proceedings received in the Ephemeral
under reference are herewith returned

[signed] H. G. Cummins
by Supermt
Shimoga D.

(True Copy)

H. Nicholl
for Supermt

Abstract of replies received from the Amildars of the Revenue Talooks to Orders issued by the Superintendent with reference to Sugar Division Circular Revenue Extract dated the 30th Sept/66 No 23.

Hillah No 580 dated 27th Oct 1866.

The Gorib Amildar states that the Halaykhykes and Hassals have the exclusive right of drawing Toddy - When these people have their own Wungs they keep for their own use as much Toddy as they require and sell the rest to others paying a fee under the name of Kandee "Kareea" to the Toddy Contractor but when they are subtenants of Wungdars they pay the Cundaysm for their land to the Wungdars, and Kandee Kareea to the Toddy Contractor for the Toddy they draw and sell. It is now usual for Hassals to Exclusively appropriate the Toddy procured in lieu of paying a Consideration to the Wungdars in the shape of rendering services in cutting the arreca Nut in their Bagayes and tying Cottays around Bunches of the nuts, to protect them against the attacks of Holay Rogue. But the Custom is that "Poddy workaligars" another name for Hassals, perform the above work for the Wungdars receiving remuneration accordin

to

to fixed rates.

When bunjer Toars are put up to sale and given to Durkhastdars the Hulaphykes and Hassals become their Shikmidars for as much portion of the jungle as they require paying them Cundayum and Rondee Rarem to the Toddy Contractor for the Sandy they draw and sell, and they at the same time watch the jungle.

Stella № 378 & 24th Oct. 69

Mr. Candlaer of Anantpoor states, that the Hulaphykes & Hussals always draw Bugay Sandy in Wings by the permission of the Wing Gaurs whom they pay a Certain rent, and do any Ordinary work for them gratis, and for any special work receive some payment. The Custom of Cutting areca nuts and tying Kottays in Consideration of their drawing Sandy in the Wings does not prevail here; the people who do that work form a separate Class. The Sandy drawers pay the fee of Rondee Rarem to the Toddy Contractors, they watch the Bugay jungles of their own Hucks but not of others.

Stella № 569. & 21st Oct. 69

Mr. Candlaer of Sangor states that when the Hassals are the Sub tenants of the Wing Gaurs they render them Service in Cutting the areca nut in their Wing and tying Kottays around Bunches of the Nuts, and draw Sandy from the Bugaree which they

they appropriate for themselves and also
all paying "Kundee Kareea" to the Contractor
but they do not interfere with the Bugnee
trees in other Wargs but some Wargdars
who have no Hussal for their Sub tenants
employ Halaphyses for drawing Sandy
from the Bugnee trees; the business of
Cutting arreca nut and tying Kottays
is done by the particular Class of men
Called Kottay Wokkaligars who dont
in Consideration of that Service draw Sandy
but as they are drinkers of Sandy the
Wargdars will have made previous
arrangements with the Halaphyses
to allow the Kottay wokkaligars drink
one day.

Stella No 417
d/29th Octr. 1869

The amildars Cowlbroog reports
that in this Taluq the Halaphyses and
Hassuls enter to an engagement that
out of the Sandy they draw in the Wargs
2/3rds is to be appropriated by themselves
and 1/3d given to the Wargdar, they
pay also Kundee Kareea to the
Contractor, they cut arreca nut and tie
Kottays for special payment and di-
otherwise and they do not watch all
the Bugnee growing Jungles attached
to their Village, but they do the Brahmins
Wargs to prevent the damage caused by
monkeys

monkeys and in return of this service appropriate the Laundy.

The Surgeon Auditor states - that Stella № 426 dated 22d Oct. 1869

Hussals and Halalkhores are the only drawers of Bugree Laundy, they draw Laundy in the Wurgs giving half to the Wurgdars and appropriating for themselves the other half, when the Wurgdars are not drinkers of Laundy they give their share of it to their other Ryots who do use it, but if they should give the whole Laundy drawn in their Wurgs to the Hussals the latter bind their Cattle in return - this practice in Cases where Brahmins are Wurgdars - If Wurgdars do not allow the Hussals the entire use of the Laundy drawn, they cannot expect them to render them any service in cutting green mat and tying Hottays for which they must employ other Labourers on payment - The Hussals and Halalkhores who draw Laundy pay Rupees Eleven to the Contractors from 15 annas to 1 Rupee per annum - Those who use the Laundy produce in their Farms water them themselves.

I signed) H. G. Cumming
Dy Surgeon

(A true Copy)

Wm Grant
Surgeon

1869.

From

The Deputy Superintendent

Cudoor District

To

The Superintendent

Nuggur Devesum

Dated 22nd December/69

General No 874

In reply to docket No 8391/108 dated 5th October last, has the honor to submit, that the Amildars of Coppah & Lucknowlly, report, that Wurg.dars cannot dispossess their Shekmidars of the right of drawing Bagany toddy, except for infringement of any of the conditions, on which the trees are sublet, while the Amildars of Chekmoaglur & Wastara state, that in their Talugs Shekmidars possess no such rights at all.

Hurry Hurpoor

Sd/ T. Kristna Row

Offg: Dy: Superin.

Cudoor Dist.

True copy.

Sd/ Dinanath

For Superin.

12/2/70

1

3101

From Commr. 1870. No. 5529

To The Supt. Nagar Dt

Dated 9th February 1870

Despatched 10th

Received

S.R.
Section
No. 62
No. 16

Enclosures No.

General No. 5529 } 1869/70.
Rev. No. 130 }

Govt. letter No. 5106/229 of 31st Ult.
on the subject of the right
of the Valetty Kers or Vaelars
in the Mulnad to draw
toddy from Bajri trees

Returns the Papers
proceedings submitted
under the above; and Re-
quests to be informed
whether toddy drawers
in the Mulnad reside
the jungles or Wargs
in Coorg, such drawers
reside in the jungle, and
obtain no occupancy right

By Order

9/2/70.

Rej/8/5/70

I

139.

Memo 1870 No 16

From

To The Superintendent Nilgiri Dn
The Secretary to the
Chief Commr
of Coorg

Dated 9th
Despatched 12
Received 14
Rec'd 16

Enclosures No. 2

General No. 514 } 1870-71
Rev. No. 14 }

R.
62
17

Your Docket No 5529
dt. 136
of the 9th February 1870

With reference to the
above, has the honor
to forward herewith
for information, the
replies received from
the Dy Supt, Shimoga
& Rad on the
subject of the Toddy
drawers

Memo No 107 dt 29/8/70

From The Deputy Castle of Radoer

To The Superintendent Resident

Dated 10th March 1870.

Despatched

Received

Enclosures No.

General No. 1101

No. } 18

In reply to Circular No 5421 — Res 116 of 19th ultimo, I have the honor to state that the Auildars of Wadara & Rolpa report that the Godowns or drawers reside in the Warega in which the Bukpurs are situated, the former adding however, that this does not Constitute any right which the Auildars of Ambrusapoor & Kuchanly state that

vj/18/5/70

I
1397

From Chennai 1870 No. 15
To The Superintendent Nilgiri Dairy
The Secretary to the Chief Commissioner of Mysore

Dated 9th
Despatched 12
Received 14
Ref 16

Enclosures No. 2

General No. 514 } 1870-71
Rev. No. 14 }

Section S. R.
2 62
17

Your Docket No. 5529
R. 136
of the 9th February 1870

With reference to the above, I have the honor to forward herewith for information, the replies received from the Dy Supts, Shimoga & Kadoor on the subject of the Toddy drawers

Insno No 107 of 29/8/70

drawers in the Insta

Camp Pulbutty

Superi

Reference

14. 5. 20

In Reference submit

No: 85:

Municipal Draft
Deputy Settts Office.
15th April 1870.

To
The Superintendent Police
Rangoon

Sir,

In reply to your No: 5916 of the 22nd ult; giving Cover to certain No: 5106/229, dated 31st January last, enquiring whether the Taleyphres, or Yaylans, reside in the Jungles, or in Villages, I have the honor to report, that the Aundans of the Inhabited Villages all state, that in no case do they reside, in the Jungles, occasionally as Shikaundans of Wungadans, they reside at the Wungadans Villages, and in many instances when in other respects, dependent on or independent of the Wungadan they only resort to the Jungle for the day for the purpose of drawing Toddy.

I have &c
Signed/ C Pearse
by: Deputy Sett. Supt.

True Copy
W. M. Donaldson
for Superintendent

W.M.

Sub.

1/397

Rec'd Revenue 1870-71

3.

From the Superintendent of the Nagar Division.

Dated Bangalore 6th September

Despatched

Received 10

S. K.

2 — 69

— 18

Enclosures No.

General No. 3067 } 2
Rev No. 35 } 1870-71

With reference to his letter No. 14 dated 9th May last states that the question of allowing Government at liberty to allow any one he chooses to draw toddy from Bargi trees situated within 2 miles to the detriment of a class of professional toddy drawers has been practically settled by Mr. Bowring's order referred to by you.

To The Dasthan D.I. to note 17/9/70

N 3067

Revenue 35

Mysore Chief Commrs Office
Bangalore 6th September/7

To

The Superintendent of the
Nagar Division

Sir

With reference to your letter No. 511/14 dated 9th May last and in reply to the queries raised in your Do. No. 5106/229 of the 31st January last, as to whether a Wurgdar is at liberty to permit whoever he chooses to draw toddy from Bugni Trees situated in his Wurg to the detriment of a class of professional toddy drawers, I am desired by the Offg Chief Commr to state that, Mr Bourings order referred to by you, declaring that Bugni Trees, situated on Wurg lands are the absolute property of the Wurgdars, seems to him to have practically settled the question at issue.

2. Irrespective of the above, it would appear from the replies of the District Officers received with the letter under reference that as a rule the toddy drawers of the Unallad do not reside in the Jungle, but only proceed there, for the purpose of drawing toddy as occasions require and hence it cannot be said that they have acquired any prescriptive right in respect of their calling.

3. The case is however quite different in the Province of Coorg

where such men having resided for
years in the Forest in pursuit of
their profession could not equitably
be assisted; and consequently, in
assigning the Forest their huts
and a small patch of Forest were
demarkated for them, or the Planters
left to arrange with them about
vacating.—

I have &c

Off. Secretary.

ARC